

**FILED**

JAN 08 2020

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY \_\_\_\_\_ DEPUTY

CAUSE NO.: DR 19-CR-3002-AM

**SUPERSEDING INDICTMENT**

[VIO: COUNT ONE: 18 U.S.C § 2423(a): Transportation of a Minor with Intent to Engage in Criminal Sexual Activity; COUNT TWO: 8 U.S.C. § 1324(a)(2)(b)(ii): Bringing Aliens to the United States; COUNT THREE: 8 U.S.C. § 1324(a)(1)(A)(v)(I) & (B)(i) Conspiracy to Transport Illegal Aliens; COUNT FOUR: 8 U.S.C. § 1324(a)(1)(A)(ii) & (B)(i) Illegal Alien Transportation; COUNT FIVE: 8 U.S.C. § 1326(a) & (b)(1)/(2): Illegal Re-entry into the United States; COUNT SIX: Title 18 U.S.C. § 1001(a)(2) - False Statement or Representation Made to an Agency or Department of the United States.]

COUNT ONE  
[18 U.S.C. § 2423(a)]

That on or about November 4, 2019, in the Western District of Texas, Defendant,

ONILSON DARIO JUAREZ-MENDEZ a/k/a NELSON DAVID LOPEZ,

knowingly transported K.N.H., an individual who had not attained the age of 18 years, in interstate and foreign commerce from the Republic of Mexico to the United States of America with intent that K.N.H. engage in sexual activity for which a person can be charged with a criminal offense, in violation of Title 18, United States Code, Section 2423(a).

COUNT TWO

[8 U.S.C. § 1324(a)(2)(b)(ii)]

That on or about November 4, 2019, in the Western District of Texas, Defendant,

ONILSON DARIO JUAREZ-MENDEZ a/k/a NELSON DAVID LOPEZ,

knowing and in reckless disregard of the fact that an alien, namely, K.N.H, had not received prior official authorization to come to, enter and reside in the United States, did bring and attempted to bring to the United States said alien, for the purpose of commercial advantage and private financial gain, in violation of Title 8, United States Code, Section 1324(a)(2)(B)(ii).

COUNT THREE

[8 U.S.C. § 1324(a)(1)(A)(v)(I) & (B)(iii)]

On or about November 4, 2019, in the Western District of Texas, Defendant,

ONILSON DARIO JUAREZ-MENDEZ a/k/a NELSON DAVID LOPEZ

did knowingly and intentionally combine, conspire, confederate and agree with others known and unknown to the Grand Jury, to commit the following offense against the United States: to transport and move, and attempt to transport and move, by means of transportation or otherwise, aliens who entered and remained in the United States in violation of law, knowing and in reckless disregard of the fact said aliens came to, entered, and remained in the United States in violation of law, and in furtherance of such violation of law, and during and in relation to the conspiracy to transport aliens, the defendant caused K.N.H to suffer a serious bodily injury, in violation of Title 8, United States Code, Section 1324(a)(1)(A)(v)(I) and (B)(iii).

COUNT FOUR

[8 U.S.C. § 1324(a)(1)(A)(ii) & (B)(iii)]

On or about November 4, in the Western District of Texas, Defendant,

ONILSON DARIO JUAREZ-MENDEZ a/k/a NELSON DAVID LOPEZ

did knowingly and in reckless disregard of the fact that the hereinafter named alien has come to, entered and remained in the United States in violation of law, willfully and unlawfully transported and moved, and attempted to transport and move, by means of transportation or otherwise, in furtherance of such violation of law, a certain alien, to-wit: K.N.H, for the purpose of commercial advantage and private financial gain, and during and in relation to the transportation, the defendant caused K.N.H to suffer a serious bodily injury, in violation of Title 8, United States Code, Section 1324(a)(1)(A)(ii) & (B)(iii).

COUNT FIVE

[8 U.S.C. § 1326(a) & (b)(1)/(2)]

That on or about November 4, 2019, in the Western District of Texas, Defendant,

ONILSON DARIO JUAREZ-MENDEZ a/k/a NELSON DAVID LOPEZ

an alien, attempted to enter, entered, and was found in the United States having previously been denied admission, excluded, deported and removed from the United States on or about April 21, 2017, and that the Defendant had not received the consent of the Attorney General of the United States and the Secretary of the Department of Homeland Security, to reapply for admission to the United States, in violation of Title 8, United States Code, Section 1326(a) and (b)(1)/(2).

COUNT SIX

[18 U.S.C. § 1001(a)(2)]

On or about November 4, 2019, in the Western District of Texas, Defendant,

ONILSON DARIO JUAREZ-MENDEZ a/k/a NELSON DAVID LOPEZ

did knowingly and willfully make and cause to be made materially false, fictitious, and fraudulent statements and representations to a United States Border Patrol Agent, in a matter within the jurisdiction of an executive department or agency of the United States, that is, Defendant stated that he was the stepfather of the juvenile female K.N.H, knowing such statements and

representations to be false in order to avoid further inspection by United States Border Patrol Agents, all in violation of Title 18, United States Code, Section 1001(a)(2).

A TRUE BILL,  
ORIGINAL SIGNATURE  
REDACTED PURSUANT TO  
E-GOVERNMENT ACT OF 2002  
FOREPERSON

JOHN F. BASH  
United States Attorney

By: 

JOSHUA B. BANISTER  
Assistant United States Attorney

SEALED:  
UNSEALED: XX

**PERSONAL DATA SHEET  
UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
DEL RIO DIVISION**

COUNTY: Maverick USAO #: 2019R22134  
DATE: January 8, 2020 DIST. CT. #: DR19-CR-3002-AM  
AUSA: JOSHUA B. BANISTER  
DEFENDANT: ONILSON DARIO JUAREZ-MENDEZ a/k/a NELSON DAVID LOPEZ  
CITIZENSHIP: HONDURAS  
INTERPRETER NEEDED: YES LANGUAGE: SPANISH  
DEFENSE ATTORNEY: LANCE OGUEJIOFOR ADUBA  
ADDRESS OF ATTORNEY: 2205 VETERANS BLVD., SUITE A-2, DEL RIO, TEXAS 78840  
DEFENDANT IS: DETAINED DATE OF ARREST: November 4, 2019  
BENCH WARRANT NEEDED: NO  
PROBATION OFFICER: N/A  
NAME AND ADDRESS OF SURETY: N/A  
YOUTH CORRECTIONS ACT APPLICABLE: NO  
PROSECUTION BY: SUPERSEDING INDICTMENT  
OFFENSE: (Code & Description): COUNT ONE: 18 U.S.C. § 2423(a) – TRANSPORTATION OF A MINOR WITH INTENT TO ENGAGE IN CRIMINAL SEXUAL ACTIVITY; COUNT TWO: 8 U.S.C. § 1324(a)(2)(b)(ii) – BRINING ALIENS TO THE UNITED STATES; COUNT THREE: 8 U.S.C. § 1324(a)(1)(A)(v)(I) & (B)(iii) - CONSPIRACY TO TRANSPORT ILLEGAL ALIENS; COUNT FOUR: 8 U.S.C. § 1324(a)(1)(A)(ii) & (B)(iii) - TRANSPORTATION OF ILLEGAL ALIENS; COUNT FIVE: 8 U.S.C. § 1326(a) & (B)(1)/(2) - ILLEGAL REENTRY AFTER DEPORTATION; COUNT SIX: 18 U.S.C. § 1001(a)(2) - FALSE STATEMENT OR REPRESENTATION MADE TO AN AGENCY OR DEPARTMENT OF THE UNITED STATES.  
OFFENSE IS: FELONY

MAXIMUM SENTENCE: COUNT ONE: AT LEAST TEN YEARS AND NOT MORE THAN LIFE IMPRISONMENT; UP TO \$250,000 FINE; UP TO 5 YEARS OF SUPERVISED RELEASE; \$100 MANDATORY SPECIAL ASSESSMENT FOR EACH COUNT OF CONVICTION; \$5000 SPECIAL ASSESSMENT NON-INDIGENT; COUNT TWO: AT LEAST FIVE YEARS AND NOT MORE THAN 15 YEARS IMPRISONMENT; UP TO \$250,000 FINE; UP TO 3 YEARS OF SUPERVISED RELEASE; \$100 MANDATORY SPECIAL ASSESSMENT FOR EACH COUNT OF CONVICTION; \$5000 SPECIAL ASSESSMENT NON-INDIGENT; COUNTS THREE - FOUR: 20 YEARS IMPRISONMENT; UP TO \$250,000 FINE; UP TO 5 YEARS OF SUPERVISED RELEASE; \$100 MANDATORY SPECIAL ASSESSMENT; \$5,000 SPECIAL ASSESSMENT NON-INDIGENT FOR EACH COUNT OF CONVICTION; COUNT FIVE: 20 YEARS IMPRISONMENT; A \$250,000 FINE; 3 YEARS OF SUPERVISED RELEASE; AND A \$100 SPECIAL ASSESSMENT; COUNT SIX: UP TO 5 YEARS IMPRISONMENT; A \$250,000 FINE; NO MORE THAN 3 YEARS OF SUPERVISED RELEASE; AND A \$100 SPECIAL ASSESSMENT.

PENALTY IS MANDATORY: YES & NO

REMARKS: See above

W/DT-CR-3